

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FRANCESA WELCH,

Plaintiff,

-vs-

CITY OF CHICAGO and
CHICAGO POLICE OFFICERS
BRODERICK JONES, #17432,
and VINCENT BARNER, #19562,

Defendants.

No. 04 CV _____

(jury demand)

DOCKETED

JUL 30 2004

COMPLAINT

Plaintiff, by counsel, allege as follows:

1. This is a civil action arising under 42 U.S.C. §1983. The jurisdiction of this court is conferred by 28 U.S.C. §1343.
2. Plaintiff Francesa Welch is a resident of the Northern District of Illinois.
3. Defendant CITY OF CHICAGO is an Illinois municipal corporation.
4. Defendants BRODERICK JONES, #17432 and VINCENT BARNER, #19562 were at all times relevant acting under color their authority as Chicago police officers.
5. In 2001, defendants JONES and BARNER fabricated evidence which caused plaintiff to be indicted and held to answer criminal charges.
6. Thereafter, defendants JONES and BARNER concealed defendant's innocence of any criminal wrongdoing from the prosecutors and thereby caused plaintiff to be wrongfully prosecuted until she was acquitted on

March 15, 2004.

7. Defendants JONES and BARNER committed the misconduct referred to above as the result of the deliberate indifference of defendant City of Chicago to the fabrication of evidence by its police officers.
8. As the direct and proximate result of the above described acts, plaintiff was deprived of rights secured by the Fourth and Fourteenth Amendment to the Constitution of the United States and subjected to the Illinois tort of malicious prosecution.
9. Plaintiff hereby demands trial by jury.

Wherefore plaintiff requests that judgment be entered in her favor and against defendants in an amount in excess of one hundred thousand dollars as compensatory damages.



KENNETH N. FLAXMAN
200 South Michigan Avenue
Suite 1240
Chicago, Illinois 60604
(312) 427-3200
attorney for plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Civil Cover Sheet

DOCKETED

JUL 30 2004

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): Franchesa Welch

Defendant(s): City of Chicago, Broderick Jones,
and Vincent Barner

County of Residence: Cook

County of Residence:

Plaintiff's Atty: Kenneth N. Flaxman
Kenneth N. Flaxman P.C.
200 S Michigan Ave., Ste 1240
(312) 427-3200

Defendant's Atty:

04C 5009

II. Basis of Jurisdiction: 3. Federal Question (U.S. not a party)

III. Citizenship of Principal
Parties (Diversity Cases Only)Plaintiff:- N/A
Defendant:- N/A

JUDGE CONLON

MAGISTRATE JUDGE MASON

IV. Origin : 1. Original Proceeding

V. Nature of Suit: 440 Other Civil Rights

VI. Cause of Action: 42 U.S.C. §1983: citizen framed by police officers

VII. Requested in Complaint

Class Action: No
Dollar Demand: \$100,000
Jury Demand: YesVIII. This case **IS NOT** a refiling of a previously dismissed case.Signature: 

Date: 7/30/04

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. **Note: You may need to adjust the font size in your browser display to make the form print properly.**

Revised: 06/28/00

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

FILE COPY

In the Matter of

Eastern Division

Franchesca Welch

-VS-

City of Chicago et al.

DOCKETED

JUL 30 2004

Case Number:

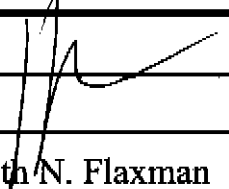
5009

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

plaintiff Francesa Welch

JUDGE CONLON

MAGISTRATE JUDGE MAGON

(A)	(B)
SIGNATURE 	SIGNATURE
NAME Kenneth N. Flaxman	NAME
FIRM Kenneth N. Flaxman P.C.	FIRM
STREET ADDRESS 200 S Michigan Ave., Ste 1240	STREET ADDRESS
CITY/STATE/ZIP Chicago, Illinois 60604	CITY/STATE/ZIP
TELEPHONE NUMBER (312) 427-3200	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 08830399	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>
(C)	(D)
SIGNATURE	SIGNATURE
NAME	NAME
FIRM	FIRM
STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
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